VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 18-20, 24, 25, 27, 30-32, 46 and 48 have been canceled without prejudice and disclaimer.

Claims 1, 33, 41, 47 and 49 have been amended as follows.

1. (Amended) A polynucleotide vaccine composition comprising a nucleic acid sequence that encodes an influenza virus M2 antigen, wherein said nucleic acid sequence is not present in a recombinant viral vector and is coated onto a core carrier particle.

33. (Amended) The method of claim 26 wherein the nucleic acid sequence is [coated onto a core carrier particle and] administered to the subject using a particle-mediated delivery technique.

41. (Amended) A method for using an influenza virus M2 antigen to induce an immune response in a subject, said method comprising:

(a) [obtaining a nucleic acid sequence encoding the M2 antigen;

(b)] providing a composition comprising an expression cassette [by linking the nucleic acid sequence to regulatory sequences such that the nucleic acid sequence is] containing a nucleic acid sequence encoding the M2 antigen operatively linked to control sequences that direct expression of the M2 antigen when introduced into tissue of the subject, wherein said expression cassette is not present in a recombinant viral vector and is coated onto a core carrier particle; and

[(c)] (b) administering the expression cassette to tissue of the subject in an amount sufficient such that the M2 antigen is expressed to induce the immune response.

47. (Amended) The method of claim 45 wherein the plasmid vector is [coated onto a core carrier particle and] administered to the subject using a particle-mediated delivery technique.

49. (Amended) A method of eliciting a protective immune response in a subject, said method comprising transfecting cells of the subject with a polynucleotide encoding an influenza virus M2 antigen, wherein said transfecting is carried out under conditions that permit expression of said antigen within the subject, said polynucleotide is not present in a recombinant viral vector and is coated onto a core carrier particle, and said expression is sufficient to elicit a protective immune response against an influenza virus.

REMARKS

Overview of the Amendments:

Applicants, by way of this Supplemental Preliminary Amendment, have cancelled a number of claims and provided minor amendments to yet other claims. In particular, applicants have cancelled claims 18-20, 24, 25, 27, 30-32, 46 and 48 without prejudice and disclaimer. It is to be understood that cancellation of these claims is not an acquiescence to ground of rejection or issue of patentability, and applicants reserve the right to bring the claims again in a subsequent, related application.

Claims 1, 33, 41, 47 and 49 have merely been amended to recite the invention with greater particularity. Support for the amendments to claims 1, 41 and 49 can be found throughout the specification and in claim 20 as originally filed. The amendments to claims 33 and 47 are merely to reflect the minor changes made to claims 1 and 41. Accordingly, no new matter has been added by way of these claim amendments, and the entry thereof is respectfully requested.

All of the subject amendments have been provided in both "clean version" and in "marked-up version" in conformance with 37 C.F.R. §1.121(b)(1) parts (ii) and (iii). The "marked-up version" of the instant amendment shows the changes made to the claims by the current amendment. The attached pages are captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE".

CONCLUSION

Applicants respectfully submit that the application is complete and in good order for examination and further that the claims define an invention which is novel and nonobvious over the art. Accordingly, allowance is believed to be in order and an early notification to that effect is earnestly solicited.

Respectfully submitted,

Date: 7 March 2003

By: _____
Thomas P. McCracken
Registration No. 38,548

POWDERJECT PHARMACEUTICALS PLC
Florey House
The Oxford Science Park
Oxford OX4 4GA
United Kingdom
Telephone: +44 1865 332 600
Fax: +44 1865 332 601